

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

No. DA 10-0179 ORIGINAL

STATE OF MONTANA,

v.

Plaintiff and Appellee,

FILED

MAY 2 8 2010

STANLEY D. DETHMAN,

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Defendant and Appellant.

NOTICE OF APPEARANCE AND REQUEST TO STAY BRIEFING SCHEDULE

Please note and enter the appearance of the Office of State Public Defender, Appellate Defender Office, P.O. Box 200145, Helena, Montana, as appointed counsel for the Defendant named above for purposes of this appeal.

The OAD also respectfully requests that this Court stay the briefing schedule in this matter in order for the OAD to request the transcripts necessary for appeal.

The OAD will request transcripts by June 4, 2010, and would ask that upon the filing of the request for transcripts, the Rules of Appellate Procedure for deadlines for producing transcripts and briefing be imposed.

Opposing counsel has been contacted concerning this motion and does not object.

DATED this 20th day of May, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER Appellate Defender Office 139 N. Last Chance Gulch P.O. Box 200145 Helena, MT 59620-0145

By: <u>(/ Add (n ⁻ F</u> 1000) VM/HUNT

Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Notice of Appearance and Request to Stay Briefing Schedule to be mailed to:

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Market Samuel

DATED: 5/28/10